

In addition, a sketch of a new drawing (Figure 7) is offered for consideration by the Examiner for inclusion in the application. If the drawing is satisfactory, descriptive material commencing with the drawing will also be added to the specification.

With respect to the new slate of claims, there are believed to be in line with the claims of Group I (previous claims 1-26) which were elected pursuant to a telephone restriction requirement prior to the present Office Action. That election is affirmed. The selection of Group I does not affect Inventorship with respect to the remaining claims.

The new claims are believed to be within the scope or confines or materials originally of record in the application. Independent claims 36 and 46 have been amended to include the curved arms 56 (Figure 3) and 80 (Figures 5 and 6) between the mounting and the gripper mechanism which enable the system to reduce a lifting and dumping radius of the present invention which, in turn, reduces the lateral or side and height clearance needed for the system to operate. This may be essential for refuse pick-up in narrow alleys or the like, for example.

It is further believed that the present claims clearly distinguish over the art of record, particularly with respect to the advantage of the short operating radius of the device enabled by the curved arms which further enables the manipulation of containers in a limited lateral or vertical space. Note that although Sizemore '576 does utilize a rotary operating device 49 to swivel his mast 18, as shown in his drawings (see Figures 1-3) and the description accompanying same (particularly column 3, lines 67 and column 4, line 10) is designed to pivot only through a very small acute angle, from a vertical to a "kick-out" position. As shown particularly in Figure 2, mast 18 is not moved at all in the lifting and dumping of containers, but remains in the "kick-out position" throughout this cycle. The mast is stowed in the vertical position when the system is not in use. The reference clearly does not teach the use of one or more rotary actuated rotating arms to achieve the lifting and dumping of containers.

Brandt '100 does not show the claimed inventive mechanical features. It is therefore believed that the present claims render the earlier rejection based on Brandt '100 taken either singularly or in combinations moot with respect to the present claims.

In view of the above amendments taken together with the remarks herein, Applicants believe the present slate of claims patently distinguishes over the prior art references known to them taken either singularly or in combination and a reconsideration and allowance of the present claims is respectfully requested.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

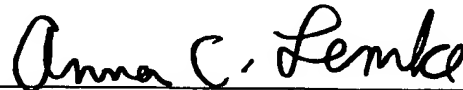


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the Amendment Under 37 CFR 1.111 (6pp.), a transmittal letter in Serial No. 09/844,843 of applicants, CLAUDIU D. PRUTEANU, ET AL., filed April 27, 2001, for "AUTOMATED LOADER ARM", is being sent by facsimile transmission to: Examiner James W. Keenan, Art Unit 3652, Assistant Commissioner for Patents, Washington D. C. 20231 on 16 October 2002, facsimile No. 703-305-7687.

Date of Signature: October 16, 2002.



Anna C. Lemke
On behalf of C. G. Mersereau

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Approved
JIK 12/19/02

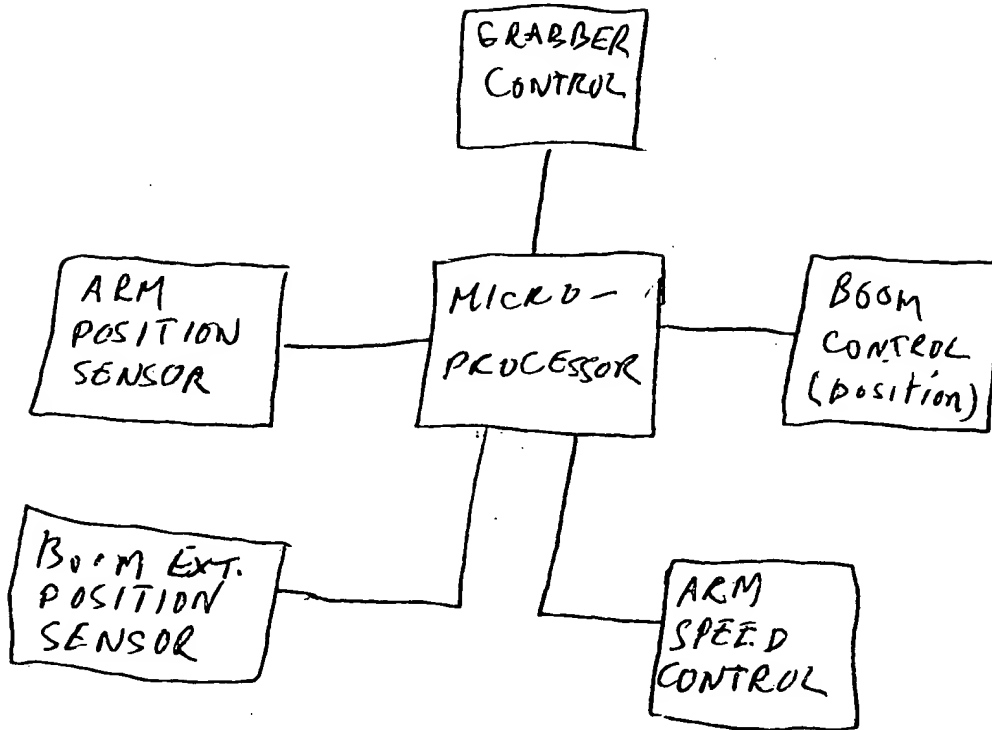


Fig 7